**UNITED STATES DEPARTMENT OF COMMERCE**
**National Oceanic and Atmospheric Administration**
NATIONAL MARINE FISHERIES SERVICE
Northwest Region
7600 Sand Point Way N.E., Bldg. 1
Seattle, WA 98115

**Refer to:**
**2003/00339**

August 12, 2003

Mr. Fred Patron
U.S. Department of Transportation
Federal Highway Administration
The Equitable Center, Suite 100
530 Center Street NE
Salem, OR 97301

Re: Amendment to the June 27, 2003 Biological Opinion (2003/00339) for the Quarry Bridges Removal and Replacement Project, Administered by the Federal Highway Administration (FHWA).

Dear Mr. Patron:

On June 27, 2003, NOAA's National Marine Fisheries Service (NOAA Fisheries) issued the biological opinion identified above (Opinion). The main purpose of the Opinion was to cover the replacement and construction of four bridge spans over the Grande Ronde River, in Union County, Oregon.

This amendment is driven by two issues needing attention: (1) A discrepancy between the Opinion's project description and the engineering design plans; and (2) a change in use of a project access point. A shortcoming of the biological assessment (BA) is that the project action was not fully described. Work completed on site did not match the project action described on page 8 of the BA. Nonetheless, a diagram in the appendix does accurately depict the activities conducted on the site and the effects associated with this action do not exceed those already addressed in the Opinion.

The second aspect of this amendment is the change in the proposed use of the construction access point as described in the BA. The access point described in the BA (page 8) was intended for use in removing bridge demolition debris from the work site. The activity of drilling the shafts was originally designed to be done from the work bridge at each bridge site. The contractor recently determined that the weight and torque of the drilling rig will be too strenuous for the work bridge, and is now proposing to drill shafts from the access point discussed above. The effects of drilling, chemical contamination, and sediment input were analyzed in the Opinion for the initial proposed site, and were not analyzed for this activity on the access point. Since the drilled shaft work is no longer proposed for above the wetted channel, the risk of chemical contamination and other effects will actually be reduced.

The purpose of this amendment is to identify the proposed changes and additional conservation measures as they amend NOAA Fisheries' June 27, 2003 Opinion (2003/00339) "Quarry Bridges Removal and Replacement". The following information was received from ODOT on July 18, 2003, as an addendum to the original March 18, 2003 BA addressing the I-84 Quarry Bridges Replacement Project, Union County, Oregon.

Additional Information on Description of Proposed Action

To enable full containment of drilling fluids and contaminants, drilled shafts will have an outer casing around the inner sleeve to prevent drilling fluids and spoils from entering the wetted channel. The outer casing will consist of a 2.1-meter (m) diameter steel construction casing equipped with teeth to allow the casing to embed 30 centimeter (cm) into the bedrock substrate. This will form a seal and allow containment of any turbid water. Shaft-drilling spoils will be hauled away for off-site disposal.

The outer casing will advance through the temporary fill materials and filter fabric until the underlying bedrock is reached. All material within the outer casing will be loaded to a dump truck and hauled-out for disposal. All drilling fluids will be pumped into "Baker tanks" (15,000 to 26,500 Liter capacity) for containment prior to being hauled off-site for disposal. Since the substrate is primarily bedrock and cobble, the drilling spoils will consist of water and crushed rock. Each of the four drilled shafts will require approximately 2 to 3 days to complete.

Additional Conservation Measures Included in the July 18, 2003 BA Addendum

1. Use of the temporary fill area as a drilling platform will provide a substantial barrier between the drilling rig and flowing waters; any spilled material could be contained above or within the fill materials and removed from the site before it enters the river.

2. The drilling rig will be diapered to prevent fluid leaks prior to entry onto the drilling platform.

3. The drill rig will be located in an area designed to contain spilled fluids.

4. Spill kits will be kept at the drilling site to facilitate rapid response in the event of a spill.

5. An oil-absorbent boom will be placed across the wetted channel, downstream of drilling operations to provide an added level of containment should a petroleum spill occur in the water.

6. The Pollution Control Plan (PCP) developed for the project specifies containment measures to be employed during activities within 45 m (150 ft) of the ordinary high water mark (OHWM), such as the use of pumps or other machinery. These measures include diapering of large equipment or placement of small, stationary equipment such as pumps in containment devices such as rubber troughs or plastic wading pools.
7. Fueling of the drilling rig within 45 m (150 ft) of the OWHM will require the use of secondary containment such as a drain pan and oil absorbent pads.

Results of Work Area Isolation
Between the dates of July 4 and July 18, 2003, ODOT's consultant conducted work area isolation and fish salvage activities. No ESA-listed fish identified during fish salvage operations at the Lower Quarry Bridges site, however, 22 SR steelhead were captured and released from the Upper Quarry Bridges site.

**Conclusion**

NOAA Fisheries expects that the additional conservation measures described above, and agreed to by ODOT as part of the revised action, will prevent any additional adverse effects from drilling and construction activities on the temporary work pad. After reassessing the effects of the proposed actions amending the Opinion, it is NOAA Fisheries' opinion that this project, as amended will not have any additional effects to SR spring/summer chinook salmon (*O. tshawytscha*), SR fall-run chinook salmon, and the SR steelhead beyond those which were previously analyzed in the June 27, 2003 Opinion. The proposed conservation measures are adequate to minimize incidental take, therefore, no additional terms and conditions are needed. NOAA Fisheries also believes that the proposed conservation measures are adequate to protect essential fish habitat, and thus satisfy the Magnuson-Stevens Act consultation requirements.

Therefore, the June 27, 2003 Opinion is hereby amended to include drilling activities conducted on the temporary access point and to clarify the project design aspect of the extension of the access point.

I appreciate the interest you and your staff have in assuring we have a common understanding of our efforts. If you have further questions, please contact Tom Loynes at 503.231.6892 of my staff in the Oregon Habitat Branch.

Sincerely,

Steve Livernois/for

D. Robert Lohn
Regional Administrator

cc: Greg Apke, ODOT
Molly Cary, ODOT
Nick Testa, ODOT
Jon Adkins, Mason, Bruce and Girard, Inc.